

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 12-CR-211

AUGUSTUS ALLEN,

Defendant.

**ORDER DESIGNATING CASE AS COMPLEX AND
GRANTING CONTINUANCE UNDER SPEEDY TRIAL ACT**

On October 10, 2012 a grand jury in this district returned a six count indictment against the defendant, Augustus Allen (“Allen”). Counts One and Four of the indictment allege sex trafficking by use of force, fraud, or coercion in violation of 18 U.S.C. § 1591. Count Two of the indictment alleges sex trafficking of a child and by use of force, fraud, or coercion in violation of 18 U.S.C. § 1591. Count Three of the indictment alleges transporting a child to engage in prostitution in violation of 18 U.S.C. § 2423(a) and 2. Counts Five and Six of the indictment allege sex trafficking of a child in violation of 18 U.S.C. § 1591 and 2. On October 15, 2012, the defendant filed an unopposed motion for an order designating the case as complex.

In support of this motion, the defendant points to the fact this is a “high-stakes case” in which Allen is accused of being a pimp who prostituted five people over a three-year period. The defendant further states that certain of the counts involve minors and various of the counts allege the use of force, threats of force, fraud, and coercion and if convicted of

any of the charges carrying the most severe statutory penalties, Allen faces not less than 15 years nor more than life imprisonment. The defendant states that over the last five years, similar cases prosecuted in this district have required well more than 70 days to review discovery and consult with counsel. Finally, the defendant states the attorney who will assume primary responsibility for representing Allen in this case is unavailable until November 1.

After reviewing the motion filed by the defendant, the Court finds that based on the nature of the prosecution, it is appropriate to grant this motion. Additionally, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(ii), the Court finds based on the complexity of this case, it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial within the time limits set by the Speedy Trial Act. The Court finds that under 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by taking this action outweigh the best interest of the public and the defendant in a speedy trial.

Additionally, because the defendant needs time to review the discovery and consult with counsel, the time between the arraignment held on October 17, 2012 and October 24, 2012, the date set for the scheduling conference, is excluded from the speedy trial deadline of 18 U.S.C. § 3161(c)(1).

NOW, THEREFORE, IT IS ORDERED that the defendant's request to designate the case as complex is hereby **GRANTED**.

FURTHER, IT IS ORDERED that a scheduling conference for counsel only be convened on October 24, 2012 at 9:30 a.m.

FURTHER, IT IS ORDERED that the time between the arraignment held on

October 17, 2012 and October 24, 2012, the date set for the scheduling conference, is excluded from the speedy trial deadline of 18 U.S.C. § 3161(c)(1).

Dated at Milwaukee, Wisconsin this 19th day of October, 2012.

BY THE COURT

s/Nancy Joseph
NANCY JOSEPH
United States Magistrate Judge